

Ericka S. Smith, #6-3444  
Buchhammer & Ward, P.C.  
1821 Logan Avenue  
P.O. Box 568  
Cheyenne, WY 82003-0568  
(307) 634-2184  
(307) 634-2199 – fax  
[ess@wyoming.com](mailto:ess@wyoming.com)  
*Attorney for Defendant*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

**UNITED STATES OF AMERICA,**

Plaintiff,

**v.**

**Criminal No. 21-CR-8-ABJ-6**

**JIOVONNE DOMONIC AYALA,**

Defendant.

---

**MOTION TO WITHDRAW AS COUNSEL AND TERMINATE  
SERVICES OF EXPERT JOHN OLIVE**

---

COMES NOW Ericka S. Smith of Buchhammer & Ward, P.C., counsel for Jiovonne Domonic Ayala, and hereby moves this Court for an Order allowing her to withdraw as counsel and to terminate the services of John Olive, the mitigation expert and in support thereof states as follows:

1. On June 9, 2022, Defendant filed a Motion for New Counsel (Doc. 433).

Defendant stated that he believes undersigned counsel lies to him and does not have his best interests at heart.

2. On June 14, 2022, a hearing was held on Defendant's motion where he maintained his request for new counsel.

3. Despite the fact that undersigned counsel has certainly never lied to Mr. Ayala and always worked in his interest, counsel does not believe it is appropriate to continue as counsel for Mr. Ayala if those are his beliefs. It would be impossible for him to believe he had competent and adequate counsel and therefore, new counsel is appropriate.
4. Further, on February 15, 2022, the Court entered an Order granting Defendant's Motion for Expert Services of Mr. John Olive (Doc. 402 and 401).
5. Defendant has now been appointed Tracy Hucke from the Federal Public Defender's Office. As such, Mr. Olive believes Defendant is no longer entitled to his services as paid for by CJA.

WHEREFORE Defendant prays the Court allow undersigned counsel to withdraw from Mr. Ayala's case and that the Court terminate the services of expert John Olive.

DATED this 17<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
/s/ Ericka S. Smith  
Ericka S. Smith  
Counsel for Jiovonne Domonic Ayala

---

---

CERTIFICATE OF SERVICE

---

---

The undersigned hereby certifies that the above was served via CM/ECF upon counsel of record this same date.

\_\_\_\_\_  
/s/ Ericka s. Smith  
Ericka S. Smith